

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

WADLEY PIERRE,

Plaintiff,

v.

Civil Action No. 13-12055-MLW

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE, MARTIN BRESLIN,
and RICHARD SPINGEL,

Defendants.

**DEFENDANTS' MOTION FOR LEAVE TO FILE A REPLY IN SUPPORT OF
THEIR PARTIAL MOTION TO DISMISS**

Pursuant to Local Rule 7.1(B)(3), defendants President and Fellows of Harvard College, Martin Breslin, and Richard Spingel (collectively "Defendants") hereby move for leave of court to submit a brief reply in support of their Partial Motion to Dismiss. Defendants submit that their reply is necessary to address matters raised in Plaintiff's Opposition to Defendants' Partial Motion to Dismiss ("Opposition").

A brief reply (of five pages or fewer) is necessary to address, among other issues, that the tolling provision of M.G.L. c. 151B that Plaintiff relies on in his Opposition does not apply here and, therefore, his claims concerning the "bumping" issue are time barred.

Counsel for Plaintiff, Joseph Sulman, has indicated that Plaintiff has no objection to this Motion.

WHEREFORE, Defendants respectfully request that the Court grant this Motion and allow them to file a brief reply (five pages or fewer) to Plaintiff's Opposition.

Respectfully submitted,

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE,
MARTIN BRESLIN, and
RICHARD SPINGEL,

By their attorneys,

/s/ Amy Silverman Ostiguy
Robert P. Joy BBO # 254820
Amy Silverman Ostiguy BBO # 667279
Morgan, Brown & Joy, LLP
200 State Street – 11th Floor
Boston, MA 02109
(617) 523-6666
rpjoy@morganbrown.com
aostiguy@morganbrown.com

Dated: January 17, 2014

CERTIFICATE PURSUANT TO LOCAL RULE 7.1(A)(2)

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that prior to filing this motion, on January 17, 2014, she conferred, in good faith, with Plaintiff's counsel in an attempt to resolve or narrow the issue(s) in dispute, and that he indicated that Plaintiff has no objection to this Motion.

/s/ Amy Silverman Ostiguy
Amy Silverman Ostiguy

CERTIFICATE OF SERVICE

I, Amy Silverman Ostiguy, hereby certify that this document was filed through the ECF system on this date, and that a true paper copy of this document will be sent to those indicated as non- registered participants on the Notice of Electronic Filing by first class mail on the same date.

Dated: January 17, 2014

/s/ Amy Silverman Ostiguy
Amy Silverman Ostiguy